

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type:

☒ Utility

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SOFT TISSUE SECURING ANCHOR

SPECIFICATION IDENTIFICATION

the specification of which was filed on 12/27/01 as Serial Number 09/747,991, a substitute of which is enclosed herewith.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

☒ no such applications have been filed.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of

Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

☒ 09/089,231 filed on 06/02/98, now US Patent Number 6,168,598, which claims benefit of 60/048,284, filed on 06/02/97.

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Terry M. Gernstein
Reg. No. 26,891

Send all correspondence to:

Terry M. Gernstein
1015 Salt Meadow Lane
McLean, VA 22101

Direct Telephone Calls to:

Terry M. Gernstein
(703) 790-5945

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE

Full name of sole inventor: Jeannette Martello

Inventor's signature: Jeannette Martello

Date: 3/1/01 Country of Citizenship: United States

Residence: 800 So. Fairmount Ave., Suite 205, Pasadena, CA 91105

Post Office Address: The same as above residence address

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9 (F) AND 1.27 (b) - INDEPENDENT INVENTOR

As below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:

SOFT TISSUE SECURING ANCHOR

described in the specification filed on 12/27/01 as Serial Number 09/747,991, a substitute of which is enclosed herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or are under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ no such person, concern, or organization.

I acknowledge our duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date of on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor: Jeannette Martello

Jeannette Martello
Signature of Inventor

Date:

3/1/01